UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

TRAVELODGE HOTELS, INC.,

Case No. C-1-01-784

Plaintiff.

(Judge Black)

vs.

GOPAL GOVAN,

<u>DEFENDANT/THIRD-PARTY</u> <u>PLAIN</u>TIFF GOPAL GOVAN'S

Defendant/Third Party Plaintiff,

WAIVER OF JURY TRIAL

VS.

CINCINNATI TRAVELODGE,

Third-Party Defendant.

Defendant/Third-Party Plaintiff Gopal Govan waives his right to a jury trial on his third party complaint against Third-Party Defendant Cincinnati Travelodge.

Respectfully submitted,

OF COUNSEL:

/s/Eric C. Holzapfel

WOOD & LAMPING LLP

Eric C. Holzapfel (0012276) Kevin Frank (0077211) 600 Vine Street, Suite 2500

Cincinnati, Ohio 45202 Counsel to Gopal Govan

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Defendant/Third-Party Plaintiff Gopal Govan's Waiver of Jury Trial has been filed with the Court by electronic means this 28th day of June 2004. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

> /s/Eric C. Holzapfel Eric C. Holzapfel Trial Attorney for Defendant Gopal Govan